



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2144

DATE SCANNED 11-22-10

SCANNER NO. 2

SCAN OPERATOR JMN

10092651855



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2010 JUN 10 P 4: 30

June 10, 2010

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: ALEC PALMER  
ACTING STAFF DIRECTOR *AP*

FROM: PATRICIA CARMONA *PC*  
CHIEF COMPLIANCE OFFICER

DEBBIE CHACONA *DC*  
ACTING ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

BY: *MS* NATALIYA IOFFE/RHIANNON MAGRUDER *QIM*  
COMPLIANCE BRANCH

SUBJECT: REASON TO BELIEVE RECOMMENDATION – 2010 APRIL MONTHLY  
REPORT FOR THE ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file the 2010 April Monthly Report in accordance with 2 U.S.C. § 434(a). The April Monthly Report was due on April 20, 2010.

The committees listed in the attached RTB Circulation Report filed the report more than five (5) days after the due date. In accordance with the schedule of civil money penalties for reports at 11 CFR § 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

**Recommendation**

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. § 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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6/10/2010 12:59 PM

**Federal Election Commission**  
**Reason to Believe Circulation Report**  
**2010 APRIL MONTHLY Not Election Sensitive 04/20/2010 P\_UNAUTH**

AF#	Committee ID	Committee Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2143	C00325324	NATIONAL MILK PRODUCERS FEDERATION PAC (NMPF PAC)	DANA BROOKS	\$160,303	0	4/27/2010	7	\$33,900	\$340
2144	C00398826	SUN HEALTHCARE GROUP, INC. POLITICAL ACTION COMMITTEE D/B/A SUN HEALTHCARE P.A.C.	DAVID W. MASON	\$472,836	0	4/29/2010	9	\$29,163	\$380

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Reason To Believe Recommendation - 2010	)	
April Monthly Report for the	)	
Administrative Fine Program:	)	
SUN HEALTHCARE GROUP, INC.	)	AF# 2144
POLITICAL ACTION COMMITTEE	)	
D/B/A SUN HEALTHCARE P.A.C., and	)	
MASON, DAVID W. as treasurer;	)	
NATIONAL MILK PRODUCERS	)	AF# 2143
FEDERATION PAC (NMPF PAC), and	)	
BROOKS, DANA as treasurer;	)	

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on June 14, 2010 the Commission took the following actions on the Reason To Believe Recommendation - 2010 April Monthly Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated June 10, 2010, on the following committees:

AF#2144 Decided by a vote of 6-0 to: (1) find reason to believe that SUN HEALTHCARE GROUP, INC. POLITICAL ACTION COMMITTEE D/B/A SUN HEALTHCARE P.A.C., and MASON, DAVID W. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2143 Decided by a vote of 6-0 to: (1) find reason to believe that NATIONAL MILK PRODUCERS FEDERATION PAC (NMPF PAC), and BROOKS, DANA as

Federal Election Commission  
Certification for Administrative Fines  
June 14, 2010

Page 2

treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

June 14, 2010

Date

Shawn Woodhead Werth

Shawn Woodhead Werth  
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 16, 2010

David W. Mason, in official capacity as Treasurer  
Sun Healthcare Group, Inc. Political Action Committee  
D/B/A Sun Healthcare P.A.C.  
101 Sun Avenue, N.E.  
Albuquerque, NM 87109

C00398826  
AF#: 2144

Dear Mr. Mason:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Monthly Report of Receipts and Disbursements covering the period through March 31, 2010. This report shall be filed no later than April 20, 2010. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on April 29, 2010, nine (9) days late.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On June 14, 2010, the FEC found that there is reason to believe ("RTB") that Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun Healthcare P.A.C. and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before April 20, 2010. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$380. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-111.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$380 is due within forty (40) days of the finding, or by July 24, 2010, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$29,163  
Number of Days Late: 9  
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your

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committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or July 24, 2010. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun Healthcare P.A.C. and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

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action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).

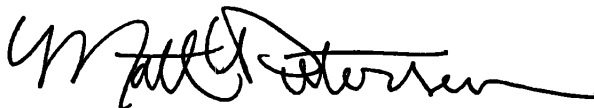
**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Rhiannon Magruder in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen  
Chairman

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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$380 for the 2010 April Monthly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The remittance and your payment are due by July 24, 2010. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

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FOR: Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun Healthcare P.A.C.

FEC ID#: C00398826

AF#: 2144

PAYMENT DUE DATE: July 24, 2010

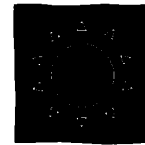
PAYMENT AMOUNT DUE: \$380

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FEC OFFICE OF  
ADMIN REVIEW

Sun HealthCare

PAC



101 Sun Avenue NE  
Albuquerque, NM 87109  
505.468.6987

June 18, 2010

Federal Election Commission  
Office of Administrative Review  
999 E Street NW  
Washington, DC 20463

Re: Sun Healthcare Group, Inc. Political Action Committee  
D/B/A Sun HealthCare PAC  
101 Sun Avenue NE  
Albuquerque, NM 87109  
FEC ID# C00398826  
AF #2144

Dear Sir/Madam:

Sun HealthCare PAC filed its March 31, 2010 FEC Form 3X on April 29, 2010, nine days after the April 20, 2010 due date. As a result, Sun HealthCare PAC received the attached letter from the Federal Election Commission assessing a \$380 late-filing penalty. Sun HealthCare PAC is hereby challenging the imposition of this penalty for the reason set forth below.

Sun HealthCare PAC files FEC Form 3X electronically on a monthly basis. The computer used to store Sun HealthCare PAC's records and file Form 3Xs crashed. In order to file Sun HealthCare PAC's Form 3X for March, 2010, we had to restore all Sun HealthCare PAC records back to the year 2004. This restoration took approximately two weeks, which resulted in the delay in filing Sun HealthCare PAC's March, 2010 Form 3X. Sun HealthCare PAC respectfully requests that any penalties resulting from this late filing of the March, 2010 Form 3X be waived as a result of these unforeseen circumstances.

We appreciate your consideration of this penalty abatement request. If you have any questions or need any additional information, please call me at (505) 468-4101.

Very truly yours,

David W. Mason  
Treasurer



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Via First Class Mail

June 29, 2010

David W. Mason, in his official capacity as Treasurer  
Sun Healthcare Group, Inc Political Action Committee  
D/B/A Sun Healthcare P.A.C  
101 Sun Avenue, NE  
Albuquerque, NM 87109

C00398826  
AF# 2144

Dear Mr. Mason:

On June 28, 2010, the Commission received your written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding your challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

A handwritten signature in black ink, appearing to read "Maureen Benitz", is written over the typed name.

Maureen Benitz  
Reviewing Analyst  
Office of Administrative Review

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**FEC OFFICE OF  
ADMIN REVIEW**

**2010 JUN 30 A 9 04**

**Date: June 30, 2010**

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW  
CHALLENGE RECEIVED**

**AF#: 2144**

**Committee Name: Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun  
Healthcare P.A.C.**

**Committee ID#: C00398826**

**Committee Address (if different than in RTB letter): N/A**

**Treasurer Name (if different than in RTB finding): N/A**

**Attachments:**

**Copy of RTB Circulation Report, dated June 10, 2010 and RTB Certification,  
dated June 14, 2010: Y**

**Attachment #: 1**

**Certified Return Receipt (to be forwarded at later date if not yet received)(Y/N):Y**

**Attachment #: 2**

**Other Relevant Telecoms (Y/N): N**

**Attachment #: N/A**

**Original Correspondence Received by RAD in Response to RTB Letter (Y/N): N**

**Attachment #: N/A**

**RAD Staff Declaration (Y/N): Y**

**-2010 April Monthly Report Prior Notice, dated January 27, 2010.**

**-RTB Letter, dated June 16, 2010.**

**Attachment #: 4**

**Other RAD Information: (Y/N): N**

**Attachment#: N/A**

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## DECLARATION OF NATALIYA IOFFE

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
  2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun Healthcare P.A.C.:
    - A) Prior Notice, dated January 27, 2010, referencing the 2010 April Monthly Report (sent via electronic mail to: dmason@sunh.com);
    - B) Reason-to-Believe Letter, dated June 16, 2010, referencing the 2010 April Monthly Report.
  3. I hereby certify that I have searched the Commission's public records and find that Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun Healthcare P.A.C. filed the 2010 April Monthly Report with the Commission on April 29, 2010.
  4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided.
- This declaration was executed at Washington, D.C. on the 30<sup>th</sup> day of June, 2010.



Nataliya Ioffe  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission



# MONTHLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

January 27, 2010

## MONTHLY REPORTING SCHEDULE FOR 2010

### REPORTING DATES

REPORT	CLOSE OF BOOKS <sup>1</sup>	REGISTERED, CERTIFIED, & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
February	01/31/10	02/20/10	02/20/10 <sup>2</sup>
March	02/28/10	03/20/10	03/20/10 <sup>2</sup>
April	03/31/10	04/20/10	04/20/10
May	04/30/10	05/20/10	05/20/10
June	05/31/10	06/20/10	06/20/10 <sup>2</sup>
July	06/30/10	07/20/10	07/20/10
August	07/31/10	08/20/10	08/20/10
September	08/31/10	09/20/10	09/20/10
October	09/30/10	10/20/10	10/20/10
Pre-General	10/13/10	10/18/10	10/21/10
Post-General	11/22/10	12/02/10	12/02/10
Year-End	12/31/10	01/31/11	01/31/11

**[Click here for Supplemental Filing Information](#)**

<sup>1</sup> A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

<sup>2</sup> Notice that this filing date falls on a weekend. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed by methods other than Registered, Certified or Overnight Mail, or electronically, must be received before the Commission's (or for committees supporting only Senate candidates, the Secretary of Senate's) close of business on the last business day before the deadline.

## 2010 SUPPLEMENTAL FILING INFORMATION PACs AND PARTY COMMITTEES

**PLEASE NOTE:** The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

### WHO MUST FILE

All Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) must file either quarterly or monthly reports in 2010. See 11 CFR 104.5(c). Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

### METHODS OF FILING REPORTS

#### Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e).

- Web Page: Electronic Filing Page
- Campaign Guide: Nonconnected Committees (Nonconnected), pp. 51-53 [PDF]; Corporations and Labor Organizations (SSF), pp. 49-51 [PDF]; Political Party Committees (Party), pp. 69-71 [PDF].

#### Paper Filing – Meeting the Filing Deadline

Paper report filing options – Registered, Certified or Overnight or First Class Mail.

See 11 CFR 104.5(e).

- Web Page: Link to Paper Forms (for downloading and printing)
- Campaign Guide: Nonconnected, pp. 47-48 [PDF]; SSF, pp. 45-46 [PDF]; Party, p. 65 [PDF].

### COMPLIANCE

#### Treasurer Responsibility

Committee treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time.

See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceeding [PDF]
- Campaign Guide: Nonconnected, pp. 3-4 [PDF]; SSF, pp. 1-2 [PDF]; Party, pp. 6-7 [PDF].

#### Administrative Fine Program

Failure to file reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- or non-filers). See 11 CFR 111.30.

- Web Page: Administrative Fine Program Page
- Campaign Guide: Nonconnected, pp. 48-49 [PDF]; SSF, p. 46 [PDF]; Party, p. 66 [PDF]

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## PRE-ELECTION REPORTING

Quarterly filing committees that make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See 11 CFR 104.5(c)(1)(ii).

- Web Page: [2010 Congressional Pre-Primary Reporting Dates Page](#)
- The Record: [January 2010 issue](#) [PDF]
- Campaign Guide: [Nonconnected, pp. 49-51](#) [PDF]; [SSF, pp. 46-48](#) [PDF]; [Party, pp. 67-68](#) [PDF].

## 2010 REPORTING SCHEDULE

- Web Page: [2010 Reporting Dates Page](#)
- The Record: [January 2010 issue](#) [PDF]
- Campaign Guide: [Nonconnected, pp. 49-51](#) [PDF]; [SSF, pp. 46-48](#) [PDF]; [Party, pp. 67-68](#) [PDF].

## DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Party committees and Leadership PACs must simultaneously file FEC Form 3L if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of the lobbyist bundling disclosure threshold during the covered period (see page 1 of this notice). See 11 CFR 104.22.

NOTE: The lobbyist bundling disclosure threshold for calendar year 2009 was \$16,000. This threshold amount may increase in 2010 based upon the annual cost of living adjustment (COLA). As soon as the adjusted threshold amount is available, the Commission will publish it in the Federal Register and post it on its website. See 11 CFR 110.17(e).

- The Record: [March 2009 issue](#) [PDF]
- Federal Register: [Notice 2009-03 \(February 17, 2009\)](#) [PDF]
- Campaign Guide: [Party, pp. 143-149](#) [PDF]

## CHANGE IN FILING FREQUENCY

Committees able to change their reporting schedule (for example, from monthly to quarterly) who wish to do so must notify the Commission in writing and may change their filing frequency no more than once per calendar year. See 11 CFR 104.5(c).

- Web Page: [Filing Frequency by Type of Committee](#)
- Campaign Guide: [Nonconnected, p. 51](#) [PDF]; [SSF, p. 49](#) [PDF]; [Party, p. 67](#) [PDF].

## 48- AND 24-HOUR REPORTS OF INDEPENDENT EXPENDITURES

Any PAC or Party Committee that makes independent expenditures in 2010 may have to disclose this activity within 48- or 24-hours based upon the date and amount of the expenditure. See 11 CFR 104.4.

- Web Page: [48- and 24-hour reporting periods for independent expenditures for 2010 elections](#)
- Campaign Guide: [Nonconnected, pp. 72-74](#) [PDF]; [SSF, pp. 65-67](#) [PDF]; [Party, pp. 87-89](#) [PDF].

These reports are not required when a PAC or Party Committee makes a contribution directly to a candidate.

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FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

July 26, 2010

David W. Mason, in his official capacity as Treasurer  
Sun Healthcare Group, Inc. Political Action  
Committee D/B/A Sun HealthCare P.A.C.  
101 Sun Avenue NE  
Albuquerque, NM 87109

C00398826  
AF# 2144

Dear Mr. Mason:

On June 14, 2010, the Federal Election Commission ("Commission") found reason to believe ("RTB") that the Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare P.A.C. and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to timely file the 2010 April Monthly Report. The Commission also made a preliminary determination that the civil money penalty was \$380 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

Dayna C. Brown  
Acting Reviewing Officer  
Office of Administrative Review

Attachment

10092651871



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

July 23, 2010

**MEMORANDUM**

To: The Commission

Through: Alec Palmer  
Acting Staff Director

From: Patricia Carmona  
Chief Compliance Officer

Dayna C. Brown *DB*  
Acting Reviewing Officer  
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2144 – Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare P.A.C. and David W. Mason, in his official capacity as Treasurer (C00398826)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment

10092651872



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

July 23, 2010

**REVIEWING OFFICER RECOMMENDATION  
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 2144 - Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare  
P.A.C. and David W. Mason, in his official capacity as Treasurer (C00398826)

**Summary of Recommendation**

Make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$380 civil money penalty.

**Reason-to-Believe Background**

On June 14, 2010, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2010 April Monthly Report and made a preliminary determination that the civil money penalty was \$380, based on the schedule of penalties at 11 C.F.R. § 111.43. They were notified by the Reports Analysis Division ("RAD") on June 16, 2010 of the Commission's RTB finding and civil money penalty.

**Legal Requirements**

The Federal Election Campaign Act ("Act") states that the treasurer of a committee not authorized by a candidate shall file, in an election year, a report for the period ending March 31 no later than April 20. 2 U.S.C. § 434(a)(4)(B) and 11 C.F.R. § 104.5(c)(3)(i). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

**Respondents' Challenge and Analysis**

On June 28, 2010, the Commission received the written response ("challenge") from the Treasurer, along with a copy of the RTB letter. He states that the computer used to store the committee's records and file reports crashed, causing them to have to restore all records dating back to 2004. This process took approximately two weeks and delayed the filing of the report. He asks that the penalty be waived as a result of these unforeseen circumstances.

Prior Notice dated January 27, 2010, referencing the April Monthly Report, was sent via email to dmason@sunh.com, the email address disclosed on the Committee's Statement of Organization, informing the respondents of the April 20 filing deadline.

According to the timeline provided in the challenge, it appears that the Committee's computer crashed on or about April 15, given that it took the respondents approximately two weeks to restore the lost data and the report was filed on April 29. The Electronic Filing Office ("EFO") logs show that Tina Currutte downloaded the FECFile software on April 17, and again on April 20. Ms. Currutte also called the EFO on April 20 requesting assistance with restoring

the Committee's data due to their computer crashing. Having been previously notified of the due date, it appears that the respondents waited five days after their computer crashed on April 15 before calling on the April 20 due date for assistance with restoring the data needed to file the report.

On April 21, (the day after the filing deadline), the EFO sent the 12-hour non-filer email notification to "tina.curnutte@sunh.com" alerting them that they did not file the 2010 April Monthly Report. This is the email address provided by the respondents. On this same day, the Treasurer called the EFO inquiring about the penalty for filing the report late. The EFO transferred the call to the RAD Analyst who directed the Treasurer to the Administrative Fine Calculator on the Commission's website for additional information and urged him to file the report as soon as possible.

Had the respondents contacted the EFO prior to the due date of the report for assistance with restoring the data lost as a result of their computer crashing, they may have been able to file earlier than April 29.

The administrative fine regulations specifically state that committee computer failures and negligence are not reasonably unforeseen circumstances. 11 C.F.R § 111.35(d). Their challenge fails to address any of the three valid grounds at 11 C.F.R § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances.

Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$380.

#### **OAR Recommendations**

- (1) Adopt the Reviewing Officer recommendation for AF# 2144 involving Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare P.A.C. and David W. Mason, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2144 that Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare PAC and David W. Mason, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$380; and
- (3) Send the appropriate letter.

Acting Reviewing Officer: Dayna C. Brown

#### **Attachments**

- Attachment 1 – Challenge Received from Respondents
- Attachment 2 -
- Attachment 3 – Declaration from RAD
- Attachment 4 – Declaration from OAR

### DECLARATION OF DAYNA C. BROWN

- 1) I am the Acting Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Acting Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) The 2010 April Monthly Report is due April 20, 2010. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m., Eastern Standard/Daylight Time on April 20 to be timely filed.
- 3) It is the practice of the Commission to maintain an Administrative Fines section on its web site at <http://www.fec.gov/af/af.shtml> for the use of committees and treasurers. This section includes information on how the Administrative Fine Program works as well as the current Administrative Fine Regulations by issue date.
- 4) I hereby certify that I have searched the Commission's public records and the documents identified herein are the true and accurate copies of:
  - (a) Page 1 of the Statement of Organization filed electronically by the Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare P.A.C. and David W. Mason, in his official capacity as Treasurer. According to the Commission's records, the Statement was received on August 27, 2008 and lists [dmason@sunh.com](mailto:dmason@sunh.com) as the Committee's email address; and
  - (b) Page 1 of the Summary Page for the 2010 April Monthly Report filed electronically by Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare P.A.C. and David W. Mason, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from March 1 through March 31, 2010 and was received on April 29, 2010.
- 5) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 23<sup>rd</sup> of July, 2010.



Dayna C. Brown  
Acting Reviewing Officer  
Office of Administrative Review  
Federal Election Commission

10092651875

**FEC  
FORM 1****STATEMENT OF  
ORGANIZATION**

(See instructions)

Office use only

1. NAME OF  
COMMITTEE (in full)(Check if name  
is changed)Example: If typing, type  
over the lines

12FE4M5

Sun Healthcare Group, Inc. Political Action Committee d/b/a Sun Health-  
Care P.A.C.

ADDRESS (number and street)

101 Sun Avenue NE

(Check if address  
is changed)

Albuquerque

NM

87109

CITY ▲

STATE ▲

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

dmason@sunh.com

COMMITTEE'S WEB PAGE ADDRESS (URL)

COMMITTEE'S FAX NUMBER

5054684023

2. DATE

MM / DD / YYYY  
04 / 19 / 2007

3. FEC IDENTIFICATION NUMBER

C00398826

4. IS THIS STATEMENT

☒

NEW (N)

OR

☐

AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

David W. Mason

Signature of Treasurer

Electronically Filed by David W. Mason

Date

MM / DD / YYYY  
08 / 27 / 2008

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. 5437g.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS

Office  
Use  
OnlyFor further information contact:  
Federal Election Commission  
Toll Free 800-424-9530  
Local 202-694-1100**FEC FORM 1**  
(Revised 12/2007)

**FEC  
FORM 3X****REPORT OF RECEIPTS  
AND DISBURSEMENTS**  
For Other Than An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

SUN HEALTHCARE GROUP, INC. POLITICAL ACTION COMMITTEE D/B/A SUN HEALTHCARE P.A.C.

ADDRESS (number and street)

101 Sun Avenue NE

Check if different  
than previously  
reported. (ACC)

Albuquerque

NM

87109

2. FEC IDENTIFICATION NUMBER

C00398826

CITY

STATE

ZIP CODE

3. IS THIS
- 
- REPORT

☒NEW  
(N)

OR

☐AMENDED  
(A)

4. TYPE OF REPORT
- 
- (Choose One)

- (a) Quarterly Reports:

April 15  
Quarterly Report(Q1)July 15  
Quarterly Report(Q2)October 15  
Quarterly Report(Q3)January 31  
Quarterly Report(YE)July 31 Mid-Year  
Report(Non-election  
Year Only) (MY)Termination Report  
(TER)

- (b) Monthly
- 
- Report
- 
- Due On:

☐ Feb 20 (M2)☐ Mar 20 (M3)☒ Apr 20 (M4)☐ May 20 (M5)☐ Jun 20 (M6)☐ Jul 20 (M7)☐ Aug 20 (M8)☐ Sep 20 (M9)☐ Oct 20 (M10)☐ Nov 20 (M11)  
(Non-Election  
Year Only)☐ Dec 20 (M12)  
(Non-Election  
Year Only)☐ Jan 31 (YE)

- (c) 12-Day
- 
- PRE-Election
- 
- Report for the:

☐ Primary (12P)☐ Convention (12C)☐ General (12G)☐ Special (12G)☐ Runoff (12R)

Election on

in the  
State of

- (d) 30-Day
- 
- Post -Election
- 
- Report for the:

☐ General (30G)☐ Runoff (30R)☐ Special (30S)

Election on

in the  
State of

5. Covering Period

03

01

2010

through

03

31

2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

DAVID MASON

Signature of Treasurer

Electronically Filed by DAVID MASON

Date

04

29

2010

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office  
Use  
Only**FEC FORM 3X**  
(Rev. 12/2004)

FE6AN026

10092651877

# Sun HealthCare PAC

101 Sun Avenue NE  
Albuquerque, NM 87109  
505.468.6987

VIA FACSIMILE

August 5, 2010

Federal Election Commission  
Attn: Commission Secretary  
999 E Street, NW  
Washington, DC 20463

Re: Sun Healthcare Group, Inc. Political Action Committee  
D/B/A Sun HealthCare PAC  
FEC #C00398826  
AF #2144

Dear Sir/Madam:

Attached is a copy of the letter from Dayna Brown, Acting Reviewing Officer, which recommends that the \$380 penalty for the late filing of Sun HealthCare PAC's March 31, 2010 FEC Form 3X be upheld. We respectfully disagree with this recommendation for the reasons set forth below.

Sun HealthCare PAC is connected with Sun Healthcare Group, Inc. ("SHG"). Everyone who provides services to the PAC is a full-time employee of SHG. To our knowledge, we have never been late in any filings with the FEC. As indicated in our letter (attached), Ms. Cumutte's computer crashed, and it took two weeks to restore the lost data to be able to file the March Form 3X. The Acting Reviewing Officer's report clearly indicates that Ms. Cumutte tried to download the FEC filing software twice and contacted the Electronic Filing Office before this March Form 3X was due. Ms. Cumutte worked diligently to restore the lost data, but she simply could not restore the data to file the report in time to make the April 20 deadline because of her full-time responsibilities to SHG (which also included restoring lost data from the computer crash).

We believe the purpose of a penalty is to punish someone for willfully failing to meet an obligation. Our filing history, the unforeseen circumstances with the crashing of a computer, and Ms. Cumutte's efforts to try to get the software re-loaded and the data restored to be able to file the report in a timely manner constitutes reasonable cause for the abatement of this late-filing penalty.

Thank you for your consideration of this request. If you have any questions or need any additional information, please call me at (505) 468-4101.

Very truly yours,



David W. Mason  
Treasurer





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 25, 2010

**MEMORANDUM**

To: The Commission

Through: Alec Palmer  
Acting Staff Director

From: Patricia Carmona  
Chief Compliance Officer

Dayna C. Brown *DCB*  
Reviewing Officer  
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2144 – Sun Healthcare Group, Inc.  
Political Action Committee D/B/A Sun HealthCare P.A.C. and David W. Mason,  
in his official capacity as Treasurer (C00398826)

On June 14, 2010, the Commission found reason to believe (“RTB”) that the respondents violated 2 U.S.C. § 434(a) for failing to timely file the 2010 April Monthly Report and also made a preliminary determination that the civil money penalty was \$380 based on the schedule of penalties at 11 C.F.R. § 111.43.

On June 28, 2010, the Commission received their written response (“challenge”). After reviewing the challenge, the Reviewing Officer’s recommendation (“ROR”) dated July 23, 2010 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a \$380 civil money penalty because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(h).

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f).

On August 6, 2010, the Commission received the written response from the Treasurer who reiterates two points raised in the challenge and addressed in the ROR: the unforeseen circumstances of their computer crashing and their effort to restore the data in order to file the report. The response includes a copy the ROR and letter, as well as a copy of the original challenge.

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The respondents indicate that it took two weeks to restore data lost as a result of their computer crashing. Following the crash, they worked diligently to restore the data, downloading the FECFile software twice and contacting the Commission's Electronic Filing Office ("EFO"), but were not able to restore the data in time to file the report by the April 20 deadline.

As discussed in the ROR, the respondents' computer crashed on or about April 15. According to the EFO, the respondents downloaded the FECFile software on April 17 and again on April 20. The respondents appear to have waited until the April 20 filing deadline, and five days after their computer crashed, to call the EFO for instructions on how to restore the data lost in the crash and needed to file April Monthly Report. The report was ultimately filed on April 29, 9 days late.

The respondents state that all persons who provide services to the Committee, including the individual who restored the lost data, are also full-time employees of Sun Healthcare Group, Inc., and that they believe all their prior Commission filings have been timely. Because these issues were not raised in the challenge and, therefore, are not directly responsive to the Reviewing Officer's recommendation, they are not addressed by the Reviewing Officer in this memorandum. 11 C.F.R. § 111.36(f).

The administrative fine regulations specifically state that committee computer failures and negligence are not reasonably unforeseen circumstances. 11 C.F.R. § 111.35(d). The Reviewing Officer, therefore, recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$380.

#### **OAR Recommendations**

- (1) Adopt the Reviewing Officer recommendation for AF# 2144 involving Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare P.A.C. and David W. Mason, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2144 that Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare PAC and David W. Mason, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$380; and
- (3) Send the appropriate letter.

Attachment

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Final Determination Recommendation: ) AF 2144  
Sun Healthcare Group, Inc. Political )  
Action Committee D/B/A Sun Healthcare )  
P.A.C. and David W. Mason, in his )  
official capacity as treasurer )  
(C00398826) )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on September 08, 2010, the Commission decided by a vote of 6-0 to take the following actions in AF 2144:

1. Adopt the Reviewing Officer recommendation for AF# 2144 involving Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare P.A.C. and David W. Mason, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 2144 that Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare PAC and David W. Mason, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$380.
3. Send the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision

Attest:

September 9, 2010  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

18092851881



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 13, 2010

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

David W. Mason, in his official capacity as Treasurer  
Sun Healthcare Group, Inc. Political Action  
Committee D/B/A Sun HealthCare P.A.C.  
101 Sun Avenue NE  
Albuquerque, NM 87109

C00398826  
AF# 2144

Dear Mr. Mason:

On June 14, 2010, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that the Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare P.A.C. and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) for failing to timely file the 2010 April Monthly Report. By letter dated June 16, 2010, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$380 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On June 28, 2010, the Office of Administrative Review received the written response from you challenging the RTB finding and civil money penalty.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that the Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare P.A.C. and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty in the amount of \$380 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on July 26, 2010.

On August 6, 2010, the Commission received your response. On September 8, 2010, the Commission adopted the Reviewing Officer's recommendation and made a final determination that the Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare P.A.C. and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$380. It is based on the same factors used to calculate the civil money penalty at RTB. A copy of the final determination recommendation is attached.

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**If You Choose to Appeal the Final Determination and/or Civil Money Penalty**

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or treasurer reside, or transact business, requesting that the final determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). The failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g, 11 C.F.R. § 111.38.

**If You Choose Not to Pay the Civil Money Penalty and Not to Appeal**

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 et seq. If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

**If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the civil money penalty, send the enclosed form and payment to the address on page 3 within 30 days of receipt of this letter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Dayna Brown on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

On behalf of the Commission,



Matthew S. Petersen  
Chairman

Attachment

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## **ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$380 for the 2010 April Monthly Report.

This penalty should be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
PO Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC # 979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

### **PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

### **PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

-----

FOR: Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare P.A.C.

FEC ID#: C00398826

REPORT: April Monthly Report

AF#: 2144

PAYMENT AMOUNT DUE: \$380

FOR: Sun Healthcare Group, Inc. Political Action Committee D/B/A Sun HealthCare P.A.C.

FEC ID#: C00398826

REPORT: April Monthly Report

AF#: 2144 ✓

PAYMENT AMOUNT DUE: \$380

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usbankcorp.  
The Bancorp. Group

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058  
SEQ# 001 \$ 0000038000 BA# 1 10-08-10 20 9



<b>SUN HEALTHCARE PAC</b>		04/04	1385
<b>FEC IDNO. C00398826</b>			
101 SUN AVE. N.E.			
ALBUQUERQUE, NM 87109-4373			
DATE <u>Sept. 29, 2010</u>		95-02/1078 NM	1125
PAY TO THE ORDER OF <u>Federal Election Commission</u>	\$ <u>380.00</u>		
<u>three hundred eighty and 00/100</u>		DOLLARS	
<b>Bank of America</b>			
ACH RPT 107000227			
FOR <u>late filing penalty April 2010 report</u>	<u>Daniel W. Mann, Treasurer</u>		



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2144

DATE SCANNED 11-22-10

SCANNER NO. 2

SCAN OPERATOR JmW

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